

FILED

SEP 08 2014

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

**Clerk, U. S. District Court
Eastern District of Tennessee
At Chattanooga**

UNITED STATES OF AMERICA)	
)	Case No. 1:14-cr-52
vs.)	
)	Judge Mattice
JAMES C. PITTMAN)	Magistrate Judge Carter

MODIFIED CONSENT ORDER OF FORFEITURE

WHEREAS, a plea agreement was filed with this Court and signed by defendant James C. Pittman and his counsel, Ashley L. Ownby, Esq., in which defendant Pittman agreed to plead guilty to a felony violation charged in a Criminal Information in this case, that is, conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h);

WHEREAS, the Information also alleged the forfeiture of a money judgment against defendant in favor of the United States for \$89,694, which represents a sum of money constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the offense of conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h);

WHEREAS, in his plea agreement, defendant Pittman expressly agreed and consented to the entry of an order of forfeiture, pursuant to Fed. R. Crim. P. 32.2(b)(2), forfeiting all rights, title and interest of any nature in property subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(1), including the entry of a money judgment against defendant in the amount of \$89,694 as an amount representing the property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of the offense of conspiracy to commit money laundering;

WHEREAS, on May 19, 2014 a Joint Motion for Entry of a Consent Order was filed. On May 21, 2014, a Consent Order of Forfeiture was entered by the Court for a money judgment in the amount of \$89,694.00.

WHEREAS, since the time of the taking the guilty plea from defendant Pittman, the other two co-conspirators, Jimmy W. Dennis and Jerry W. Dennis, have entered guilty pleas in the Western District of Tennessee, Crim. No. 2:14-cr-20147-SHM and Crim. No. 2:14-cr-20178-SHM, and, as a result, the three men agreed to tender checks to the United States for the total amount of funds involved in this conspiracy, that is, \$250,000, and have in fact provided those checks to the United States – Jimmy W. Dennis, \$115,000; Jerry W. Dennis, \$110,000; and James C. Pittman, \$25,000 (the latter amount representing approximately the amount defendant profited from this conspiracy), which the United States considers satisfaction of the forfeiture obligation resulting from this conspiracy; and

WHEREAS, the Court has determined, based on the evidence set forth in the plea agreement and during defendant Pittman's guilty plea that: (1) entry of a money judgment against defendant in favor of the United States for \$25,000 is appropriate because this amount is subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(1); and (2) that the Government has established the requisite connection between the amount of the money judgment and a violation of Title 18, United States Code, Section 1956(h);

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the following property is declared forfeited to the United States, pursuant to Fed. R. Crim. P. 32.2(b)(2) and Title 18, United States Code, Section 982(a)(1):

\$25,000 in United States currency paid by James C. Pittman pursuant to the money judgment, which represents a sum of money constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the offense of conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h).

2. Pursuant to Fed. R. Crim. P. 32.2(b)(4), this consent order of forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.

3. That the United States Marshals Service shall dispose of the property according to law.

4. The Court shall retain jurisdiction to enforce this order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

5. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney James T. Brooks.

Dated this 8th day of September, 2014.




THE HONORABLE HARRY S. MATTNICE, JR.
UNITED STATES DISTRICT JUDGE

WE ASK FOR THIS:


WILLIAM C. KILLIAN
United States Attorney

JEFFREY H. KNOX
Chief, Fraud Section, Criminal Division
U.S. Department of Justice


By:


James T. Brooks
Assistant United States Attorney

By:


Daniel P. Butler
Trial Attorney, Fraud Section


JAMES C. PITTMAN
Defendant


ASHLEY L. OWNBY, ESQ.
Counsel for Defendant